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3 District of Nevada
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13
14 UNITED STATES DISTRICT COURT

15 DISTRICT OF NEVADA

16 JOHN FRANCKI, et al.)
17)
18 Plaintiffs,)
19)
20 vs.) Case No. 3:06-cv-00265-LRH-VPC
21)
22 UNITED STATES, et al.)
23)
24 Defendants.)
25)
26 _____)

17
18 **STIPULATION TO EXTEND CERTAIN DISCOVERY AND BRIEFING DEADLINES**
19 (First and Fourth Requests)

20 Pursuant to Local Rules 6-1, 6-2 and 7-1, the parties
21 stipulate, subject to this Court's approval, that the following
22 deadlines be extended:

23 1) The United States shall have through July 16, 2007 to
24 respond to Defendant Hologic Inc.'s requests for production of
25 documents;

26 2) The schedule for briefing the United States' Motion to
Dismiss which was filed on March 19, 2007 shall be amended so
that Plaintiffs', Hologic, Inc.'s and Radiation Detection

1 Company's supplemental responses to the United States' Motion to
2 Dismiss will be due September 10, 2007 and the United States'
3 reply will be due no later than September 28, 2007. As ordered
4 by the Court (Docket 87), the supplemental briefs shall not
5 exceed twenty pages, exclusive of exhibits and other attachments,
6 and the United States may file a reply brief larger than the 20
7 pages authorized under Local Rule 7-4; and

8 3) Depositions related to Hologic, Inc.'s Fed. R. Civ. P.
9 Rule 30(b)(6) deposition notice will be moved from mid-July to
10 the first two weeks in August.

11 The parties are working together cooperatively and
12 diligently to adhere to the current discovery plan and the
13 Court's scheduling orders. However, as anticipated by the parties
14 and raised before the Court during prior hearings in this action,
15 the potential volume of documents involved, the disparate
16 location of witnesses, the schedule of counsel and other pressing
17 matters confronting the parties necessitate an extension of both
18 the current discovery schedule and the briefing schedule on the
19 motion to dismiss.

20 The parties have modified the briefing schedule three times.
21 The first extension granted Plaintiffs, Hologic, Inc. and
22 Radiation Detection Company two additional weeks to respond to
23 the Motion to Dismiss. See Docket Number 67. The second
24 extension granted the United States additional time to file its
25 reply to the various oppositions. See Docket Number 82. The
26 third extension granted the parties what they believed would be

1 sufficient time to conduct discovery on the jurisdictional
2 defense and complete supplemental briefing. See Docket Number
3 87. As outlined above discovery related to the Motion to
4 Dismiss has consumed more time than anticipated.

5 This is the first request to extend the responses to
6 requests for production and the Rule 30(b) (6) depositions.

7 | Respectfully submitted,

8 Dated: June 15, 2007

9 The Veen Firm, P.C.

By: Anthony L. Label
MILES B. COOPER
ANTHONY L. LABEL

13 | Attorneys for Plaintiffs

Dated: June , 2007

NIXON PEABODY LLP

17 By: _____

BLAINE T. WELSH
Assistant U.S. Attorney

Attorneys for the United
States of America

Dated: June _____, 2007

Erickson, Thorpe & Swainston,
Ltd.

By: WILLIAM G. COBB

19 Attorneys for Defendant
Hologic, Inc.

Attorneys for Radiation Detection Company

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7 Respectfully submitted,

8 Dated: June _____, 2007

9 The Veen Firm, P.C.

Dated June _____, 2007

STEVEN W. MYHRE
Acting United States Attorney

10 By: _____

11 MILES B. COOPER
12 ANTHONY L. LAVEL

13 Attorneys for Plaintiffs
14 _____
15 BLAINE T. WELSH
16 Assistant U.S. Attorney

17 Dated: June 15, 2007

18 NIXON PEABODY LLP

19 By: 
20 HUGH R. KOSS
21 PAUL E. STINSON

22 Attorneys for the United
23 States of America

24 Dated: June _____, 2007

25 Erickson, Thorpe & Swainston,
26 Ltd.

By: _____
WILLIAM G. COBB

Attorneys for Radiation
Detection Company

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7 Respectfully submitted,

8 Dated: June , 2007

9 The Veen Firm, P.C.

10 By: MILES B. COOPER
11 ANTHONY L. LAVEL

13 Attorneys for Plaintiffs

14 Dated: June , 2007

15 NIXON PEABODY LLP

17 By: HUGH R. KOSS
18 PAUL E. STINSON

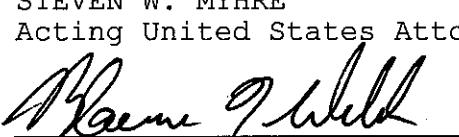
19 Attorneys for Defendant
20 Hologic, Inc.

21 IT IS SO ORDERED.

22 DATED this 20th day of June, 2007.

Dated June 15th, 2007

STEVEN W. MYHRE
Acting United States Attorney



11 BLAINE T. WELSH
12 Assistant U.S. Attorney

13 Attorneys for the United
14 States of America

15 Dated: June 15th, 2007

16 Erickson, Thorpe & Swainston,
17 Ltd.

By 
18 WILLIAM G. COBB

19 Attorneys for Radiation
20 Detection Company



25 LARRY R. HICKS
26 UNITED STATES DISTRICT JUDGE